

BEFORE THE  
PHYSICAL THERAPY BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Citation Against )  
THOMAS V. DEGUZMAN )

Case #: 1D 2004-64004

3604 N. Bender Avenue )  
Covina, CA 91724 )

OAH No.: L2006100904

Physical Therapist No. PT 14506 )  
\_\_\_\_\_ )

The attached Stipulated Settlement and Citation Order is hereby adopted by the  
Physical Therapy Board as its Decision in this matter

This Decision shall become effective on March 3, 2008.

It is so ordered on January 31, 2008

Nancy Krueger  
Nancy Krueger, P.T., President  
Physical Therapy Board  
of California

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 PAUL C. AMENT  
Supervising Deputy Attorney General  
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Deputy Attorney General  
4 California Department of Justice  
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5 Los Angeles, CA 90013  
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7 Attorneys for Complainant

8  
9 **BEFORE THE**  
**PHYSICAL THERAPY BOARD OF CALIFORNIA**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Citation Against:

12 THOMAS V. DEGUZMAN

13 3604 N. Bender Avenue  
14 Covina, CA 91724

15 Physical Therapist No. PT 14506

16 Respondent.  
17

Case No. ID 2004-64004

OAH No. L2006100904

**STIPULATED SETTLEMENT AND  
ORDER FOR CITATION**

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
20 above-entitled proceedings that the following matters are true:

21 PARTIES

22 1. Steven K. Hartzell (Complainant) is the Executive Officer of the Physical  
23 Therapy Board of California, Department of Consumer Affairs. He brought this action solely in  
24 his official capacity and is represented in this matter by Edmund G. Brown Jr., Attorney General  
25 of the State of California, by Beneth A. Browne, Deputy Attorney General.

26 2. Thomas V. DeGuzman (Respondent) is represented in this proceeding by  
27 attorney Robert A. DePiano, whose address is 2533 South Coast Highway 101, Ste 280,  
28 Cardiff-By-The-Sea, CA 92007.

1                   3.     On or about September 15, 1987, the Physical Therapy Board of California  
2 issued Physical Therapist License No. PT 14506 to Thomas V. DeGuzman (Respondent). The  
3 License was in full force and effect at all times relevant to the charges brought in Citation No.  
4 05-06-0155 and will expire on February 28, 2009, unless renewed.

5                                   JURISDICTION

6                   4.     Citation No. 05-06-0155 (the Citation), dated June 9, 2006, was filed  
7 before the Physical Therapy Board of California, Department of Consumer Affairs, and is  
8 currently pending against Respondent. The Citation and all other statutorily required documents  
9 were properly served on Respondent on August 3, 2006. Respondent timely filed his Notice of  
10 Appeal/Request for Administrative Hearing contesting the Citation. A copy of the Citation is  
11 attached as exhibit A and incorporated herein by reference.

12                                   ADVISEMENT AND WAIVERS

13                   5.     Respondent has carefully read, discussed with counsel, and fully  
14 understands the charges and allegations in the Citation. Respondent has also carefully read,  
15 discussed with counsel, and fully understands the effects of this Stipulated Settlement and Order  
16 for Citation.

17                   6.     Respondent is fully aware of his legal rights in this matter, including the  
18 right to a hearing on the charges and allegations in the Citation; the right to be represented by  
19 counsel at his own expense; the right to confront and cross-examine the witnesses against him;  
20 the right to present evidence and to testify on his own behalf; the right to the issuance of  
21 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
22 reconsideration and court review of an adverse decision; and all other rights accorded by the  
23 California Administrative Procedure Act and other applicable laws.

24                   7.     Respondent voluntarily, knowingly, and intelligently waives and gives up  
25 each and every right set forth above.

26                                   CULPABILITY

27                   8.     Respondent admits the truth of each and every charge and allegation in the  
28 Citation.

1                   9.     Respondent agrees that his Physical Therapist License is subject to citation  
2 and he agrees to be bound by the Physical Therapy Board of California's imposition of the  
3 Citation Order as set forth below.

4                                   CIRCUMSTANCES IN MITIGATION

5                   10.    Respondent Thomas V. DeGuzman has never been the subject of any  
6 disciplinary action. He is admitting responsibility at an early stage in the proceedings.

7                                   RESERVATION

8                   11.    The admissions made by Respondent herein are only for the purposes of  
9 this proceeding, or any other proceedings in which the Physical Therapy Board of California or  
10 other professional licensing agency is involved, and shall not be admissible in any other criminal  
11 or civil proceeding.

12                                  CONTINGENCY

13                   12.    This stipulation shall be subject to approval by the Physical Therapy Board  
14 of California. Respondent understands and agrees that counsel for Complainant and the staff of  
15 the Physical Therapy Board of California may communicate directly with the Board regarding  
16 this stipulation and settlement, without notice to or participation by Respondent or his counsel.  
17 By signing the stipulation, Respondent understands and agrees that he may not withdraw his  
18 agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon  
19 it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement  
20 and Citation Order shall be of no force or effect, except for this paragraph, it shall be  
21 inadmissible in any legal action between the parties, and the Board shall not be disqualified from  
22 further action by having considered this matter.

23                                  OTHER MATTERS

24                   13.    The parties understand and agree that facsimile copies of this Stipulated  
25 Settlement and Order for Citation, including facsimile signatures thereto, shall have the same  
26 force and effect as the originals.

27    ///

28    ///

1 CITATION ORDER

2 In consideration of the foregoing admissions and stipulations, the parties agree  
3 that the Physical Therapy Board of California may, without further notice or formal proceeding,  
4 issue and enter the following Citation Order:

5 IT IS HEREBY ORDERED THAT Thomas V. DeGuzman, Physical Therapist  
6 License No. PT 14506, is found to have acted as alleged in the Citation.

7 IT IS HEREBY ORDERED THAT the total fine for the citation is reduced from  
8 \$2,500 to \$1,500. The fine shall be paid within ninety days of the effective date of this decision.  
9 Failure to timely make the \$1,500 payment constitutes a material breach of this order.

10 IT IS HEREBY ORDERED THAT the June 9, 2006 Citation remains in effect  
11 except as modified by the fine reduction referred to above.

12 IT IS FURTHER ORDERED THAT a material breach by Respondent of this  
13 order shall constitute unprofessional conduct and may result in further citation or disciplinary  
14 action by the Board. In such circumstances, the Complainant may reinstate the Citation in case  
15 number ID 2004-64004, file an amended citation, an accusation and/or file a supplemental  
16 accusation alleging any material breach of this order by Respondent as unprofessional conduct.

17 ACCEPTANCE

18 I have carefully read the above Stipulated Settlement and Order for Citation and  
19 have fully discussed it with my attorney, Robert A. DePiano. I understand the stipulation and the  
20 effect it will have on my Physical Therapist license. I enter into this Stipulated Settlement and  
21 Order for Citation voluntarily, knowingly, and intelligently, and agree to be bound by the  
22 Citation Order of the Physical Therapy Board of California.

23 DATED: 4-26-07.

24  
25   
26 THOMAS V. DEGUZMAN  
26 Respondent

27 ///

28

1 I have read and fully discussed with Respondent Thomas V. DeGuzman the terms  
2 and conditions and other matters contained in the above Stipulated Settlement and Order for  
3 Citation. I approve its form and content.

4 DATED: 4-28-07.

5 

6 ROBERT A. DEPIANO  
7 Attorney for Respondent

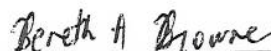
8  
9  
10 ENDORSEMENT

11 The foregoing Stipulated Settlement and Order for Citation is hereby respectfully  
12 submitted for consideration by the Physical Therapy Board of California.

13  
14 DATED: 4-30-07

15 EDMUND G. BROWN JR., Attorney General  
16 of the State of California

17 PAUL C. AMENT  
18 Supervising Deputy Attorney General

19 

20 BENETH A. BROWNE  
21 Deputy Attorney General

22 Attorneys for Complainant

**Exhibit A**  
**Citation No. 05-06-0155**



**PHYSICAL THERAPY BOARD OF CALIFORNIA**  
**Consumer Protection Services Program**  
1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204  
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251  
INTERNET <http://www.ptb.ca.gov>  
EMAIL [cps@dca.ca.gov](mailto:cps@dca.ca.gov)



June 9, 2006

Citation No. 05-06-0155

Thomas Victor DeGuzman, P.T.  
3604 N Bender Ave  
Covina CA 91724

License No. PT 14506

### CITATION

Investigation of a complaint submitted to the Physical Therapy Board of California (Board) revealed actions taken by you which violate sections of the law regulating the practice of physical therapy.

A Citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

**1. Title 16, Section 1399 of the California Code of Regulations**  
**Requirements for Use of Aides**

*A physical therapy aide is an unlicensed person who assists a physical therapist and may be utilized by a physical therapist in his or her practice by performing non-patient related tasks, or by performing patient related tasks...*

### FIRST CAUSE FOR CITATION

On July 26, 2004, an employee of the Board and a physical therapy consultant, conducted an onsite visit to Preferred Rehab Center in West Covina. At the clinic, Sharon Reyes, physical therapist aide, was found treating patients autonomously. Based on the onsite visit it has been confirmed that Mr. DeGuzman did not provide the proper supervision of the physical therapy aide on July 26, 2004.

### SECOND CAUSE FOR CITATION

On July 26, 2004, an employee of the Board and a physical therapy consultant, conducted an onsite visit to Preferred Rehab Center in West Covina. At the clinic, Michael Vincent Bigay, physical therapist license applicant, was found treating patients autonomously. Based on the onsite visit it has been confirmed that Mr. DeGuzman did not provide the proper supervision of the physical license applicant on July 26, 2004.

## ORDER

Further, you are ordered to pay a fine of \$ 2500.00 (\$1250.00 for each cause) to the Physical Therapy Board of California within 30 days after receipt of this Citation.

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal -Request for Informal Conference" form and return it to this office within 10 days after receipt of this Citation. The date indicated on the order of abatement will be held in abeyance only for any violation(s) you wish to contest. The time to correct all uncontested violations will be adhered to as specified. In the alternative, you may, within 30 days after receipt of this Citation, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

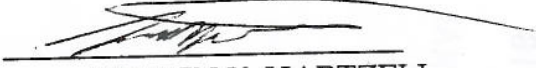
**FAILURE TO RETURN THE REQUEST FOR INFORMAL CONFERENCE FORM OR TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE TIME INDICATED WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO ADMINISTRATIVELY CONTEST OR APPEAL THIS CITATION.**

### Administrative Fine

\$ 2500.00

FOR YOUR PROTECTION AND TO ASSURE PROPER CREDIT,  
PLEASE RETURN THE COPY OF THE CITATION  
AND NOTE THE CITATION NUMBER ON YOUR CHECK  
OR MONEY ORDER.

June 9, 2006  
Date

  
STEVEN K. HARTZELL  
Executive Officer